

TRA 446

SUBJECT: Legislative Issues

3. RE: H.R. 4884 and H.R. 4966: Retirement Payment Delivery Assurance Act of 1988.

a. These Bills both deal essentially with Post Office delivery schedules and would provide for the early delivery of Federal annuity checks whenever the regular delivery date falls on a weekend or legal public holiday. The legislation would provide federal retirees the same treatment already afforded recipients of social security benefits granted under previously passed legislation.

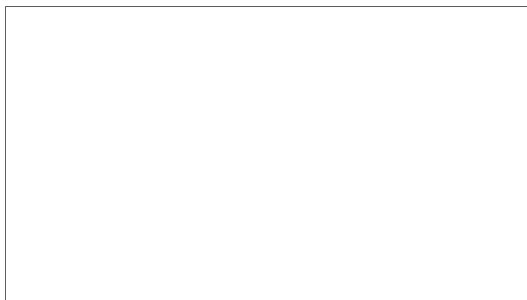
b. Currently, the Post Office receives benefits checks on a specified date. In the event the regular dates for disbursement falls on a weekend or holiday, the Post Office will deliver the checks on the next available business day.

c. Retirement Division has no objection to these bills; no CIA equities involved.

4. S. 2188: Federal Employees' Retirement System Act of 1986, Amendment (recently signed into law by the President). We previously reviewed this and felt there is no Agency equity or impact to be concerned about.

STAT

Attachments



19 JUL 1988

MEMORANDUM FOR: Deputy Director of Personnel for  
Employee Benefits and Services

STAT FROM: [REDACTED]  
Acting Chief, Retirement Division

SUBJECT: Legislative Issues

REFERENCE: Your Memoranda, dated 13 July 1988

STAT 1. This responds to your two memos of 13 July - one dealing with H.R. 4958 and HR 4966 and the other requesting that we address your questions penned in the margins of [REDACTED] memorandum.

2. RE: H.R. 4958 and S. 2469: Expedite Processing of Federal Retirement Applications.

STAT a. For the most part, Retirement Division is complying with the prompt payment guidelines outlined in the proposed legislation. [REDACTED] pose the biggest problem in having them completely adjudicated within a 30- to 60-day time frame.) Since the Agency currently administers all retirement systems for its employees, we submit no reports to OPM. [REDACTED] has already pointed out in CAP's response (copy attached), that Agency compliance would be monitored through OPM's audits of Agency retirement records. We see no problem in maintaining such statistics.

b. While we have no objections or specific equities to protect (and thus no suggested modifications), we would, nevertheless, want to be advised when the legislation is passed and would like a copy of the final version.

c. We have purposely not addressed the CAP issues, as that office can better respond to the 180-day service verification requirements mentioned in the Bills.

100TH CONGRESS  
2D SESSION

# H. R. 4966

To ensure that checks to pay annuities under the Civil Service Retirement System and the Federal Employee Retirement System are delivered early if the usual delivery date falls on a Saturday, Sunday, or holiday.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1988

Mr. DWYER of New Jersey (for himself, Mr. KANJORSKI, Mr. SABO, Mrs. BOXER, Mr. LAGOMARSINO, Mr. BONKER, Mr. ROE, Mr. EVANS, Mr. FLORIO, Mr. DERRICK, Mr. SMITH of Florida, Mr. MORRISON of Connecticut, Mr. WOLPE, Mr. ERDREICH, Mr. CHAPMAN, Mr. HYDE, Mr. SKELTON, Ms. OAKAR, Mr. PETRI, Mr. DAVIS of Illinois, Mr. BUSTAMANTE, Mr. DEFAZIO, Mr. SLATTERY, and Mr. PICKETT) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To ensure that checks to pay annuities under the Civil Service Retirement System and the Federal Employee Retirement System are delivered early if the usual delivery date falls on a Saturday, Sunday, or holiday.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the "Civil Service and Federal  
5       Employee Retirement Check Delivery Assurance Act of  
6       1988".

1 **SEC. 2. EARLY DELIVERY OF CIVIL SERVICE RETIREMENT**  
2 **ANNUITY CHECKS.**

3 Section 8347 of title 5, United States Code, is amended  
4 by adding at the end the following new subsection:

5 “(p)(1) If the day regularly designated for the delivery of  
6 checks used to pay an annuity under this subchapter falls on  
7 a Saturday, Sunday, or legal public holiday (as defined in  
8 section 6103) in any month, the checks that would otherwise  
9 be delivered on such day shall be mailed for delivery on the  
10 first day preceding such day which is not a Saturday,  
11 Sunday, or legal public holiday (as so defined), without  
12 regard to whether the delivery of such checks would have to  
13 be made before the end of the month for which such checks  
14 are issued.

15 “(2) If more than the correct amount of annuity author-  
16 ized under this subchapter is made to any individual solely as  
17 a result of the receipt of a check pursuant to paragraph (1)  
18 before the end of the month for which such check is issued,  
19 no action shall be taken to recover the amount paid or the  
20 incorrect portion thereof.”.

21 **SEC. 3. EARLY DELIVERY OF FEDERAL EMPLOYEES' RETIRE-**  
22 **MENT SYSTEM ANNUITY CHECKS.**

23 (a) **IN GENERAL.**—Title 5, United States Code, is  
24 amended by inserting after section 8470 the following new  
25 section:

1 **“§ 8470A. Delivery of payments of annuities**

2       “(a) If the day regularly designated for the delivery of  
3 checks used to pay an annuity under this chapter falls on a  
4 Saturday, Sunday, or legal public holiday (as defined in sec-  
5 tion 6103) in any month, the checks that would otherwise be  
6 delivered on such day shall be mailed for delivery on the first  
7 day preceding such day which is not a Saturday, Sunday, or  
8 legal public holiday (as so defined), without regard to wheth-  
9 er the delivery of such checks would have to be made before  
10 the end of the month for which such checks are issued.

11       “(b) If more than the correct amount of annuity author-  
12 ized under this chapter is made to any individual solely as a  
13 result of the receipt of a check pursuant to subsection (a)  
14 before the end of the month for which such check is issued,  
15 no action shall be taken to recover the amount paid or the  
16 incorrect portion thereof.”.

17       (b) CONFORMING AMENDMENT.—The table of sections  
18 at the beginning of chapter 84 of title 5, United States Code,  
19 is amended by inserting after the item relating to section  
20 8470 the following:

“8470A. Delivery of payments of annuities.”.

21 **SEC. 4. APPLICABILITY.**

22       The amendments made by this Act shall apply with re-  
23 spect to any benefit check the regularly designated day for  
24 delivery of which occurs on or after the day that is 30 days  
25 after the date of the enactment of this Act.